

DISTRICT JUDGE'S MINUTES  
IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA – PHOENIX

**U.S. District Judge: Douglas L. Rayes**

**Date:** February 16, 2023

**USA v. David Allen Harbour**

**Case Number: CR-19-00898-001-PHX-DLR**

**Assistant U.S. Attorney: Kevin Rapp and Coleen Schoch**

**Attorney for Defendant: Stephen Dichter and Justin Vanderveer, Retained**

**Defendant:** ☒ Present ☐ Not Present ☒ Released ☐ Custody ☐ Summons ☐ Writ

**JURY TRIAL (Day 10):**

8:59 a.m. Reconvene. Parties present. Jury not present. Discussion held regarding Defendant's Motion to Determine the Admissibility of Operation Chokepoint Evidence (Doc. 625) and issues with the testimony of Richard Turasky.

9:04 a.m. Jury present. Mark Burg sworn and examined on direct examination. Exhibits 882, 872 (page 1), 567, 568, 586, 587, 596, 603, 604, 605, and 606 admitted.

10:25 a.m. Recess.

10:47 a.m. Reconvene. Parties present. Jury present. Direct examination of Mark Burg continues. Exhibits 607, 202 (pages 149-153), 603, and 643 admitted.

11:13 a.m. Cross examination of Mark Burg.

12:14 p.m. Recess.

1:16 p.m. Reconvene. Parties present. Jury present. Cross examination of Mark Burg continues. Exhibit 1001 admitted.

1:24 p.m. Redirect of Mark Burg.

1:32 p.m. Dean Avedon sworn and examined on direct examination. Exhibits 569, 575, 576, 577, 578, 581, 582, 579, 580, 585, 590, 593, 594, 597, 599, 600, 602, 621, 622, 623, 632, 639, and 620 admitted.

2:21 p.m. Cross examination of Dean Avedon. Exhibits 2186, 2187, 2268, and 2206 admitted.

2:45 p.m. Recess.

3:07 p.m. Reconvene. Parties present. Jury present. Cross examination of Dean Avedon continues. Exhibit 2276, 2279, 2209, 2202, 2214, 2258, 2283, 2261, 2273, 2208, 2217, 2218, 2242, 2243, and 1469 admitted.

4:26 p.m. Redirect of Dean Avedon.

4:30 p.m. Jury excused. Court remains in session. Discussion held regarding Defendant's Motion to Determine the Admissibility of Operation Chokepoint Evidence (Doc. 625) and the motion is GRANTED. Additional discussion held regarding remaining trial schedule.

4:43 p.m. Court is in recess until 9:00 a.m. on February 17, 2023.

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**Court Reporter:** Jennifer Pancratz and Elva Cruz-Lauer

**Deputy Clerk:** Robert Vasquez

**JT: 5 hrs 58 min**

**Start: 8:59 AM**

**Stop: 4:43 PM**